

# State of South Dakota

## SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

824D0284

### SENATE ENGROSSED NO. **SB95** - 1/26/00

Introduced by: Senators Albers, Madden, and Vitter and Representative Hennies

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the prohibition against  
2 driving a vehicle while under the influence of alcohol, any controlled drug, or marijuana.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-23-1 be amended to read as follows:

5 32-23-1. A person may not drive or be in actual physical control of any vehicle while:

6 (1) There is 0.10 percent or more by weight of alcohol in ~~his~~ the person's blood as shown  
7 by chemical analysis of ~~his~~ the person's breath, blood, or other bodily substance;

8 (2) Under the influence of an alcoholic beverage;

9 (3) Under the influence of marijuana or any ~~controlled~~ illegal drug or substance to a  
10 ~~degree which renders him incapable of safely driving; or~~

11 (4) Under the influence of a legally dispensed drug or substance to a degree which  
12 renders the person incapable of safely driving; or

13 (5) Under the combined influence of an alcoholic beverage and ~~marijuana or any~~  
14 ~~controlled~~ a legally dispensed drug or substance to a degree which renders ~~him~~ the  
15 person incapable of safely driving.

1    **BILL HISTORY**

2    1/18/00 First read in Senate and referred to Judiciary. S.J. 74

3    1/21/00 Scheduled for Committee hearing on this date.

4    1/21/00 Judiciary Do Pass, Passed, AYES 4, NAYS 3. S.J. 162

5    1/25/00 Motion to Amend, Passed. S.J. 194

6    1/25/00 Senate Do Pass Amended, Passed, AYES 26, NAYS 6. S.J. 194